IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 2141 OF 2006
IN
WRIT PETITION NO. 5269 OF 2005

Union of India and Ors. ..Applicants

Vs.

Shri K.M. Khopkar and ors. ..Respondents

Mr. R.R. Shetty with Ms. Anamika Malhotra for applicants.
Mr. Neel Helekar for respondents.

CORAM: B.H. MARLAPALLE & J. H. BHATIA,JJ.

Date : November 17, 2006.

P.C.:

. Heard Mr. Shetty the learned counsel for the applicants.

. This civil application has been filed for restoration of W.P. No.5269 of 2005 which came to be dismissed in default. As per the office record the application is beyond time by 100 days. We have noted that though notice was issued in W.P. No.5269 of 2005 on 13/12/2005 and made returnable after six weeks, the applicants failed to remit Bhatta Charges even after the period of six weeks was extended. It is,

therefore, necessary to saddle the applicants with costs while condoning the delay in filing this application.

. Hence the delay is condoned subject to payment of Rs.2000/- by way of costs and to be remitted to the Maharashtra State Legal Services Authority within a period of one week from today.

. Application is allowed in terms of prayer clauses (a) and (b).

. List the Writ Petition No.5269 of 2005 for admission on 11/12/2006.

(J.H. Bhatia, J.) **(B.H. Marlapalle,J.)**